

Application No. 09/879,114  
Response dated June 22, 2006  
Office Action dated December 27, 2005

Atty. Docket No. 2207/11695  
(formerly 219.40068X00)

### REMARKS/ARGUMENTS

Claims 1-20 are pending in the application. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Allen et al. (U.S. Patent 6,115,200). Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Okuyama et al. (U.S. Patent Application Publication No. 2002/0126408) with reference to Hamaguchi et al. (U.S. Patent Application Publication No. 2002/0060871) and Kikuta et al. (U.S. Patent 6,510,014). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Okuyama et al., (U.S. Patent Application No. 2002/0126408 as applied to claim 1 above, in view of Katahara et al. (U.S. Patent Application Publication No. 2002/0114095). Applicants gratefully acknowledge the Office Action's indication claims 10-20 are allowable, and claims 3-9 contain allowable subject matter. Claim 1 is amended to correct a grammatical error.

With regard to the attached Interview summary, Applicant agrees the "designated time duration" may be characterized as an interval of time. The Office Action further includes the characterization "i.e., measured in a time measurement such as seconds, milliseconds, etc.". See Interview Summary. Applicant disagrees with this characterization. These representations, if made at all, were merely exemplary and for clarification purposes; the embodiments of the present application were not meant to be limited by such characterizations.

With regard to the §102 rejections, Applicant respectfully submits none of the cited references teach, suggest or describe at least "[a] mobile system, comprising: a storage device; a vibration sensor arranged to detect whether there is a presence of sustained or sporadic mechanical vibrations over a designated time duration..." (e.g., as described in claim 1).

Application No. 09/879,114  
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The Office Action asserts the vibration sensor 302 of Allen detects for sustained mechanical vibrations over a designated time period, citing Figure 4 and column 5, lines 45-54.

See Office Action, dated 12/27/2005, page 3. Applicant disagrees.

The cited section states:

After a shock event is detected, the post-shock movement sensing circuit 304 is activated. The post-shock movement sensing circuit 304 may be activated in a variety of manners. For example, the circuit 304 may receive a signal from the shock sensing circuit 302, the latch circuit 306, or the servo controller 310. *Generally, the post-shock movement sensing circuit 304 measures the magnitude of oscillations of the transducer for a period of time after the shock event and continues to prevent the write operation until the oscillations fall below a predetermined threshold. (emphasis added)*

Applicant notes the cited section does not contain any mention of element 302 in connection with measurement of any kind. It merely describes shock sensing circuit 302 delivering a signal to circuit 304. However, the cited section does describe the operation of "post-shock movement sensing circuit" 304 (*emphasis added*). It describes this element 304 *measures the magnitude of oscillations of a transducer for a period* and does so only *after* the shock event (i.e., "post-shock"). Figure 4 (also cited by the Office Action) of Allen further confirms this. It illustrates a shock event (402), after which *immediately* a write instruction is disabled (404). The disable instruction has *nothing to do* with duration. *Only after* (again "post-shock") the disable signal is executed does the circuit *take oscillation measurements* for a "period of time" (406, 408, 410). See cited column 5, line 52. It is not even certain that such a "period of time" is certain and definite. Nevertheless, Applicant submits that *measuring oscillations* for a period of time *after* a vibration event is not the equivalent of 1) *detecting* whether there is a presence of sustained or sporadic mechanical vibrations *over a designated time duration* and b) *to generate therefrom a vibration signal indicating the presence of sustained or sporadic mechanical vibrations* (as

Application No. 09/879,114  
Response dated June 22, 2006  
Office Action dated December 27, 2005

Atty. Docket No. 2207/11695  
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described embodiments of the present application). Therefore, the Allen reference is inadequate to support a proper §102(b) rejection of claim 1 and the current rejection should be withdrawn.

In addition, Applicant submits that Okuyama fails to teach the relevant limitations as well. The Office Action asserts Okuyama teaches the detection of sporadic mechanical vibrations over a "designated time duration", citing paragraph 75 of Okuyama. *See* Office Action dated 12/27/2005, page 6. Applicants disagree.

Paragraph 75 describes a detection process operation to determine whether or not data read/write operation is available. The operation includes step 302, which entails having the detecting unit 25 detect a positional error signal and perform a comparison as to whether or not the positional error signal exceeds a "predetermined slice level" (step 303). Later in the operation (step 304), a detecting unit 25 executes a comparison as to whether or not the count value exceeds a predetermined value "x1". If it does not, the detecting operation *is returned to* step 302. A similar comparison is done at step 306, wherein a similar determination is made for "x2". Again, if the count does not exceed, the detecting operation *is returned to* step 302.

Applicant submits the cited section is inadequate to support a proper §102(b) rejection for at least the following reasons. As shown above, the counter-based detecting operation requires the determination of thresholds to continue, and if the criteria are not met the cycle continues until they are. Applicant submits the detecting operation described in Okuyama is inherently unknown and indeterminate in duration, and therefore cannot possibly describe a vibration sensor arranged to detect mechanical vibrations over *a designated time duration* (e.g., as described in claim 1). Therefore, the Allen reference is inadequate to support a proper §102(b) rejection of claim 1 and the current rejection should be withdrawn.

Application No. 09/879,114  
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Katahara fails to make up for the deficiencies of Allen and Okuyama. Katahara is generally directed toward temperature and humidity. It does not describe “[a] mobile system, comprising: a storage device; a vibration sensor arranged to detect whether there is a presence of sustained or sporadic mechanical vibrations over a designated time duration...” (e.g., as described in claim 1).

Kikuta fails to make up for the deficiencies of Allen and Okuyama as well. Although Kikuta is directed toward disturbance detection circuit and disturbance detection method, it does not describe “[a] mobile system, comprising: a storage device; a vibration sensor arranged to detect whether there is a presence of sustained or sporadic mechanical vibrations over a designated time duration...” (e.g., as described in claim 1).

Hamaguchi fails to make up for the deficiencies of Allen and Okuyama. Hamaguchi is generally directed toward a hard disk drive and magnetic medium. It does not describe “[a] mobile system, comprising: a storage device; a vibration sensor arranged to detect whether there is a presence of sustained or sporadic mechanical vibrations over a designated time duration...” (e.g., as described in claim 1).

Therefore, Applicants submit since for at least the reasons above, each and every limitation of claim 1 is not taught, suggested or described in the cited references, the current §102 rejections of claim 1 should be withdrawn. Claims 2-9 depend from allowable claim 1, and therefore are allowable as well.

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For at least the above reasons, it is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

The Office is hereby authorized to charge any fees, or credit any overpayments, to  
Deposit Account No. 11-0600.

Respectfully submitted,  
KENYON & KENYON LLP

Dated: June 22, 2006

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